

# **EXHIBIT B**

**CUSTOMER CLAIM**

Claim Number \_\_\_\_\_

Date Received \_\_\_\_\_

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

**DECEMBER 11, 2008**

Irving H. Picard, Esq.  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

Provide your office and home telephone no.

OFFICE: Lav + Neville  
812-696-1999

HOME: \_\_\_\_\_

Taxpayer I.D. Number (Social Security No.)

11-3489011



Account Number: 1A0083  
ACCU PLAN EMPLOYEES'  
PROFIT SHARING TRUST  
2438 S W CARRIAGE PLACE  
PALM CITY, FL 34990

(If incorrect, please change)

**NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.**

\*\*\*\*\*

1. Claim for money balances as of **December 11, 2008**:

a. The Broker owes me a Credit (Cr.) Balance of \$ 0

b. I owe the Broker a Debit (Dr.) Balance of \$ 0

- c. If you wish to repay the Debit Balance,  
please insert the amount you wish to repay and  
attach a check payable to "Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC."  
If you wish to make a payment, **it must be enclosed**  
with this claim form. \$ 0

- d. If balance is zero, insert "None." 0

2. Claim for securities as of **December 11, 2008**:

**PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.**

- |   | YES      | NO       |
|---|----------|----------|
| a. The Broker owes me securities        | <u>✓</u> | <u></u>  |
| b. I owe the Broker securities          | <u></u>  | <u>✓</u> |
| c. If yes to either, please list below: |          |          |

Date of Transaction (trade date)	Name of Security	Number of Shares or Face Amount of Bonds	
		The Broker Owes Me (Long)	I Owe the Broker (Short)
<u></u>	<u>See the attached November</u>	<u></u>	<u></u>
<u></u>	<u>30, 2008 account statement</u>	<u></u>	<u></u>
<u></u>	<u>at Exhibit A</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>	<u></u>

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

**information regarding any withdrawals you have ever made or payments received from the Debtor.**

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**

**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**

	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	_____	_____✓
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	_____	_____✓
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	_____	_____✓
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	_____	_____✓
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	_____	_____✓
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	_____	_____✓

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker. \_\_\_\_\_ ✓

Please list the full name and address of anyone assisting you in the preparation of this claim form: Brian J. Neville, Esq. Law + Neville LLP  
1412 Broadway Suite 1407 New York NY 10018

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date \_\_\_\_\_ Signature ACCU-PLAN EMPLOYEES  
PROFIT-SHARING TRUST  
by Neil S. Friedman, Trustee

Date \_\_\_\_\_ Signature \_\_\_\_\_

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

# LAX NEVILLE

**LAX & NEVILLE, LLP**  
**ATTORNEYS AT LAW**

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Tel (212) 696-1999  
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**BARRY R. LAX**  
**BRIAN J. NEVILLE**  
**BRENT A. BURNS**  
**DAVID S. RICH**

**SANDRA P. ESPINOSA**

March 6, 2009

**VIA CERTIFIED MAIL**  
**RETURNED RECEIPT REQUESTED**

Irving H. Picard  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Avenue, Suite 800  
Dallas, TX 75201

RE: Accu-Plan Employees Profit Sharing Trust /Bernard L. Madoff Investment  
Securities LLC

Dear Mr. Picard:

This firm represents the Accu-Plan Employees Profit Sharing Trust (the "Accu-Plan Profit Sharing Trust") and has assisted it in preparation of its Bernard L. Madoff Investment Securities LLC ("Madoff Securities") SIPC Customer Claim Form. Enclosed herein you will find a completed Customer Claim Form for the Accu-Plan Profit Sharing Trust account. Additionally, below is a description of the relationship between the Accu-Plan Profit Sharing Trust and Madoff Securities. The statements made in this letter are true and accurate to best of our knowledge and belief, and are being provided to support the Accu-Plan Profit Sharing Trust SIPC claim.

We respectfully request that the Accu-Plan Profit Sharing Trust SIPC Claim Form be handled in an expedited manner. Neil Friedman set up the Accu-Plan Profit Sharing Trust, a

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**NEVILLE**

Irving H. Picard

March 6, 2009

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profit sharing plan, for his company, the Accu-Plan Agency, Inc., a life insurance general agency. Neil Friedman is 74 years old and is married to Constance Friedman, who is 69 years old. Neil and Constance's only current source of income is social security benefits, exclusive of an emergency fund that they established, worth approximately \$100,000. The funds in Friedman's Madoff Securities accounts were their retirement funds. The Friedman's exemplify the severity, scope and hardship caused by the Madoff Securities fraud. Indeed, the Friedman's can no longer afford to make their mortgage payments. As a result, a friend of theirs took on their mortgage, which the Friedman's will pay on a note at the sale of the house, so the Friedman's would not lose their home. Please, any expedited determination of this claim is greatly appreciated.

In or about the late 1980s, Neil Friedman opened the Accu-Plan Profit Sharing Trust account with Madoff Securities. Neil Friedman, as business owner, made contributions to the Accu-Plan Profit Sharing Trust account. Starting at age 70 ½, Neil Friedman withdrew the required minimum distributions from the Accu-Plan Profit Sharing Trust account. The Accu-Plan Profit Sharing Trust's monthly Madoff Securities account statement for November 30, 2008 shows a balance of \$2,396,715.75. Attached hereto at Exhibit A is the Accu-Plan Profit Sharing Trust's November 30, 2008 account statement. The Accu-Plan Profit Sharing Trust has paid to the IRS all appropriate capital gains taxes that resulted from the Madoff Securities account.

Neil Friedman, on behalf of the Accu-Plan Profit Sharing Trust, received account statements and confirmations from Madoff Securities reflecting the securities purchased and showing that the account held securities. Based upon the account statements and confirmations,

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NEVILLE**

Irving H. Picard  
March 6, 2009  
Page 3 of 3

the Accu-Plan Profit Sharing Trust at all times expected to have those securities in its account. The balance in the Accu-Plan Profit Sharing Trust's account as of the filing date is \$2,396,715.75. See the November 30, 2008 account statement at Exhibit A.

Constance Friedman is simultaneously submitting a separate SIPC Claim Form for her account with Madoff Securities – Constance Friedman - Account No: 1-F0098-3-0.

**CONCLUSION**

The Accu-Plan Employees Profit Sharing Trust is seeking the full protection of SIPA for its account as follows:

- Account No: 1-A0083-3-0      Accu-Plan Employees Profit Sharing Trust  
Total = \$2,396,715.75

If there are any questions regarding this matter or if you require additional documents and information, please do not hesitate to contact me. Thank you.

Very truly yours,  
Lax & Neville, LLP

By: Brian Neville  
Brian J. Neville

ENC.



# EXHIBIT A

Affiliated with  
Madoff Securities International Limited  
12 Berkeley Street  
Mayfair, London W1J 8DT  
Tel 020 7493 6222

885 Third Avenue  
New York, NY 10022  
(212) 230-2424  
800 334-1343  
Fax (212) 838-4061

**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

**ACCU PLAN EMPLOYEES'  
PROFIT SHARING TRUST**

**2438 S W CARRIAGE PLACE  
PALM CITY FL 34990**

PERIOD ENDING  
**11/30/08**

YOUR ACCOUNT NUMBER  
**1-A0083-3-0**

YOUR TAX PAYER IDENTIFICATION NUMBER  
**\*\*\*\*\*7634**

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DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
1/12	1,300			<b>BALANCE FORWARD</b>		<b>140,381.63</b>	
1/12	850		2008	WAL-MART STORES INC	55.830	72,631.00	
1/12	3,150		2510	INTERNATIONAL BUSINESS MACHS	87.270	74,213.50	
1/12	3,450		6334	EXXON MOBIL CORP	72.880	229,698.00	
1/12	1,650		6836	INTEL CORP	14.510	50,197.50	
1/12	2,250		11162	JOHNSON & JOHNSON	59.580	98,373.00	
1/12	1,200		15488	J.P. MORGAN CHASE & CO	38.530	86,782.50	
1/12	700		19813	COCA COLA CO	44.660	53,640.00	
1/12	1,300		24139	MCDONALDS CORP	55.370	38,787.00	
1/12	4,750		28465	NECK & CO	28.950	37,167.00	
1/12	2,400		32791	MICROSOFT CORP	21.810	183,787.50	
1/12	950		37117	ORACLE CORPORATION	17.300	41,616.00	
1/12	550		50095	PEPSICO INC	56.410	53,627.50	
1/12	4,050		50597	APPLE INC	108.780	55,451.80	
1/12	950		54421	PFIZER INC	16.940	68,769.00	
1/12	1,800		54923	ABBOTT LABORATORIES	54.610	51,917.50	
1/12	650		58747	PROCTER & GAMBLE CO	64.080	115,416.00	
1/12	1,250		59249	ANGEN INC	59.160	38,488.00	
1/12	3,000		63073	PHILLIP MORRIS INTERNATIONAL	43.600	54,550.00	
1/12	1,000		63575	BANK OF AMERICA	21.590	64,890.00	
1/12	3,250		67399	QUALCOMM INC	33.770	33,810.00	
1/12	750		67901	CITI GROUP INC	12.510	49,787.50	
1/12	1,800		71725	SCHLUMBERGER LTD	49.480	37,140.00	
1/12			72227	CONCAST CORP	16.510	29,790.00	
				CL A			
				CONTINUED ON PAGE 2			

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

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 New York ☐ London

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YOUR TAX PAYER IDENTIFICATION NUMBER <b>*****7634</b>	

DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
1/12	3,550		76051	AT&T INC	27	95,992.00	
1/12	900		76553	CONOCOPHILIPS	52-510	47,295.00	
1/12	600		80377	UNITED PARCEL SWC INC CLASS B	52-040	31,248.00	
1/12	3,650		80879	CISCO SYSTEMS INC	16-730	61,210.50	
1/12	1,050		84703	U S BANCORP	29-530	31,048.50	
1/12	1,250		85205	CME/IRON CORP	73-430	91,837.50	
1/12	600		89029	UNITED TECHNOLOGIES CORP	53-160	31,920.00	
1/12	6,350		89531	GENERAL ELECTRIC CO	19-630	124,904.50	
1/12	1,700		93355	VERIZON COMMUNICATIONS	30-410	51,765.00	
1/12	150		93857	GOOGLE	337-400	50,616.00	
1/12	2,100		97681	WELLS FARGO & CO NEW	29-800	62,664.00	
1/12	1,500		98183	HEWLETT PACKARD CO	34-900	52,410.00	
1/12		2,225,000	20294	U S TREASURY BILL DUE 2/12/2009	99-936		2,223,576.00
1/12				2/12/2009 FIDELITY SPARTAN U S TREASURY MONEY MARKET	DIV		113.03
1/12		94,761	15392	DIV 11/12/08 FIDELITY SPARTAN U S TREASURY MONEY MARKET	1		94,761.00
1/12	43,917		24761	FIDELITY SPARTAN U S TREASURY MONEY MARKET	1	43,917.00	
1/19				FIDELITY SPARTAN U S TREASURY MONEY MARKET DIV 11/19/08	DIV		5.39
				CONTINUED ON PAGE 3			

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DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
1/19		43,917	49989	FIDELITY SPARTAN	1		43,917.00
1/19	175,000		54641	U S TREASURY MONEY MARKET	99.926	174,870.50	
1/19	18,852		59030	U S TREASURY BILL DUE 03/26/2009 3/26/2009	1	18,852.00	
				FIDELITY SPARTAN			
				U S TREASURY MONEY MARKET			
				NEW BALANCE		280,081.21	
				SECURITY POSITIONS			
	3,550			AT&T INC	NET PRICE 28.560		
	950			ABBOTT LABORATORIES	52.390		
	650			ANGEN INC	55.540		
	550			APPLE INC	92.670		
	3,000			BANK OF AMERICA	16.250		
	1,250			CHEVRON CORP	79.010		
	3,650			CISCO SYSTEMS INC	16.540		
	3,250			CITI GROUP INC	8.290		
	1,200			COCA COLA CO	46.870		
	1,800			CORCAST CORP	17.340		
				CL A			
	900			CONGPHILIPS	52.520		
	3,150			EXXON MOBIL CORP	80.150		
	6,350			GENERAL ELECTRIC CO	17.170		
				CONTINUED ON PAGE 4			

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	150			GOOGLE	292.960		
	1,500			HEWLETT PACKARD CO	35.280		
	3,450			INTEL CORP	13.800		
	850			INTERNATIONAL BUSINESS MACHS	81.600		
	2,250			J.P. MORGAN CHASE & CO	31.660		
	1,650			JOHNSON & JOHNSON	58.580		
	700			MCDONALDS CORP	58.750		
	1,300			MERCK & CO	26.720		
	4,750			MICROSOFT CORP	20.220		
	2,400			ORACLE CORPORATION	16.090		
	950			PEPSICO INC	56.700		
	4,050			PFIZER INC	36.430		
	1,250			PHILLIP MORRIS INTERNATIONAL	42.160		
	1,800			PROCTER & GAMBLE CO	64.350		
	1,000			QUALCOMM INC	33.570		
	750			SCHLUMBERGER LTD	90.740		
	18,852			FIDELITY SPARTAN	1		
	1,050			U S TREASURY MONEY MARKET	26.980		
	600			U S BANKCORP	57.600		
	175,000			UNITED PARCEL SVC INC	99.971		
				CLASS B			
				U S TREASURY BILL			
				DUE 03/26/2009			
				3/26/2009			
	600			UNITED TECHNOLOGIES CORP	48.530		
				CONTINUED ON PAGE 5			

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DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	1,700 1,300 2,100			VERIZON COMMUNICATIONS WAL-MART STORES INC WELLS FARGO & CO NEW  MARKET VALUE OF SECURITIES LONG 2,396,713.75  SHORT	32.650 55.880 28.890		

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DATE	BOUGHT RECEIVED ON LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				YEAR-TO-DATE SUMMARY DIVIDENDS GROSS PROCEEDS FROM SALES			16,088.71 17,963,723.05

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2438 S W CARRIAGE PLACE  
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YOUR ACCOUNT NUMBER  
**1-A0083-4-0**

PERIOD ENDING  
**11/30/08**

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DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
1/12				BALANCE FORWARD			140,382.00
1/12	50		41443	S & P 100 INDEX NOVEMBER 460 CALL	15.800		
1/12	50		45769	S & P 100 INDEX NOVEMBER 450 PUT	17.800	89,050.00	
1/19	50		31874	S & P 100 INDEX DECEMBER 430 CALL	26		129,950.00
1/19	50		36199	S & P 100 INDEX DECEMBER 420 PUT	30	150,050.00	
1/19	50		40524	S & P 100 INDEX NOVEMBER 460 CALL	3	15,050.00	
1/19	50		44849	S & P 100 INDEX NOVEMBER 450 PUT	37		184,950.00
				NEW BALANCE			280,082.00
				SECURITY POSITIONS			
	50			S & P 100 INDEX DECEMBER 430 CALL	MKT PRICE 23.300		
				S & P 100 INDEX DECEMBER 420 PUT	16.500		
				MARKET VALUE OF SECURITIES			
				LONG			82,500.00
				SHORT			116,500.00

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES